

REMARKS

The PTO communication of June 6, 2007 is incorrect.

It states:

Regarding the failure to comply with 37 CFR 1.77, the applicant's statement that guidelines are not requirement and invitation of the examiner to amend the specification accordingly, is improper.

Applicant's Reply filed May 15, 2007, fully complies with 37 CFR 1.111. Thus, §111(b) explicitly states:

If the reply is with respect to an application, a request may be made that objections or requirements as to form not necessary to further consideration of the claims be held in abeyance until allowable subject matter is indicated.

Applicant requested that correction of the Abstract be held in abeyance, and applicant's Reply filed May 15, 2007, was thus fully responsive.

The general requisites of a U.S. patent application, i.e. the requirements, are set forth in 37 CFR 1.51, and particularly part (b). Applicant's specification as filed and as amended on May 15, 2007, fully complied. The "requisites" do not include headings in the specification or any particular form for the abstract.

What is required for the detailed description and specification is set forth in 37 CFR 1.71, and the requirements for the abstract are set forth in 37 CFR 1.72.

These sections contain nothing contrary to applicant's Reply of May 15, 2007.

The arrangement of the application elements are set forth in 37 CFR 1.77, of which part (a) states as follows (emphasis added):

The elements of the application, if applicable, **should** appear in the following order:...

Applicant's specification complies even though this is not a requirement.

Part (b) of 37 CFR 1.77 contains similar language, namely (emphasis added again):

The specification **should** include the following sections in order:...

Applicant's specification complies. Moreover, the word "should" does not set forth a requirement. Furthermore, this is not a statement that any headings must or even should be present.

MPEP 608.01(b) deals with the abstract, and expressly states as follows:

Replies to such actions requiring either a new abstract or amendment to bring the abstract into compliance with the guidelines should be treated under 37 CFR 1.111(b) practice like any other formal matter.

As pointed out above, applicant fully complied with 37 CFR 1.111(b) by requesting that correction of the abstract be held in abeyance.

Applicant strongly, but respectfully, objects to the "make work" nature of the PTO communication of June 6, 2007. Applicant's Reply of May 15, 2007, was fully responsive, and the amendments made above are entirely unnecessary for completion of the Reply of May 15, 2007, to make it fully responsive.

Respectfully submitted,

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